

REMARKS

The January 9, 2008 Office Action regarding the above-identified application has been carefully considered; and the claim amendments above together with the remarks that follow are presented in a bona fide effort to respond thereto and address all issues raised in that Action. The pending claim set has been revised to eliminate claims of a scope that conflicts with a commonly assigned related patent and to distinguish a few art-rejected claims over the applied prior patent art patent. Care has been taken to avoid entry of new matter. For reasons discussed below, it is believed that this case is in condition for allowance. Prompt favorable reconsideration of this amended application is requested.

Applicants' note with appreciation the indication that claims 6-11 and 16-22 would be allowable if recast in independent form. By amendment above, Applicants have rewritten claims 6-11, 16, 17, 21 and 22 in independent form by incorporating the recitations of the respective independent claims and where appropriate by incorporating intervening claims. Claims 18-20 depend from newly independent claim 17.

In amending claims 6-11 to incorporate recitations of claim 1, Applicants have made a clarification. Claim 1 originally recited "irradiating the subject with the combined light output from the lighting system irradiating the subject with the combined light output from the lighting system." In the amended claim set above, claims 6-11 now recite "irradiating the subject or a similar subject with the combined light output from the lighting system." As disclosed, the object illuminated with the combined light may be the exact same object (e.g. the same person as discussed in specification paragraph 0076) or a similar object (e.g. various instances of a product on display in different stores as discussed in specification paragraph 0075). Hence it is submitted that the amendment only clarifies the meaning of these allowable claims.

It is respectfully submitted that claims 6-11 and 16-22 are now in condition for allowance.

Claims 1-5 and 12-15 have been cancelled, to thereby remove the basis for the rejection thereof under U.S.C. § 101.

The Office Action also included a rejection of claims 23-26 under 35 U.S.C. § 102(b) as anticipated by US Patent no. 6,016,038 to Mueller et al. (hereinafter Mueller). This rejection is traversed.

Independent claim 23 specifically recites a step of “diffusely reflecting the generated light of the three colors within an optical integrating cavity.” The last step of the method of claim 23 involves “emitting at least a portion of the combined light through a passage through a wall of the optical integrating cavity to illuminate the subject. Mueller does not disclose use of an optical integrating cavity or emission via a passage through a wall of the optical integrating cavity, as claimed.

Mueller discloses LED systems for generating light, for illumination or display purposes. A processor controls the LEDs in response to data signals it receives via a computer data network (e.g. a DMX network), to alter the brightness and/or color of the generated light via pulse-width modulation of current signals that drive LEDs of different colors. This patent only briefly mentions a diffusing means (see column 8, lines 21-33). The art rejection cited several parts of the patent but did not provide a detailed explanation of how the patent disclosure meets specific claim limitations. For example, there is no explanation of where or how the Mueller patent discloses steps of diffusely reflecting the generated light of the three colors within a cavity and emitting at least a portion of the combined light through an optical aperture or other type of

light passage out of the cavity. There is certainly no disclosure in Mueller of an optical integrating type of cavity.

For at least these reasons, Mueller does not meet all requirements of independent claim 23; and Mueller does not anticipate any of claims 23-26. Hence, the rejection of those claims over Mueller should be withdrawn in view of the amendments and remarks above.

Applicants are concurrently filing a supplemental information disclosure statement, for the Examiner's consideration.

Prior to the Office Action, Applicants submitted four information disclosure statements. The Office Action included initialed forms indicating consideration of documents from only two of the four earlier statements, and one of the initialed forms was not fully initialed. The form from Applicants' September 18, 2007 statement was initialed with respect to the US patent documents, but it was not initialed with respect to the literature document (Office Action) listed in the lower section of the form. Also, the Office Action did not include forms from Applicants' February 22, 2007 and November 2, 2005 statements.

Applicants respectfully request that the Examiner consider all of the statements and all of the cited items/documents of information and confirm such consideration by returning fully initiated copies of the citation forms with the next Official communication regarding this application.

It is believed that this response addresses all issues raised in the January 9, 2008 Office Action. Upon entry of the above claim amendments, claims 6-11 and 16-26 remain active in this application, all of which should be in condition for allowance. Accordingly, this case should now be ready to pass to issue; and Applicants respectfully request a prompt favorable reconsideration of this matter. If any further issue should arise that may be addressed in an

Application No.: 10/555,094

interview or by an Examiner's amendment, it is requested that the Examiner telephone Applicants' representative at the number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

A handwritten signature in black ink, appearing to read "Keith E. George", is written over the printed name.

Keith E. George
Registration No. 34,111

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 KEG:apr
Facsimile: 202.756.8087
Date: April 8, 2008

**Please recognize our Customer No. 20277
as our correspondence address.**